

Docket No.: 42390P10859

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JAY H. CONNELLY

Application No.: 09/823,566

Filed: March 30, 2001

For: AN APPARATUS AND METHOD FOR A

DYNAMIC ELECTRONIC PROGRAM

GUIDE ENABLING BILLING

BROADCAST SERVICES PER EPG LINE

PPENA

Art Group: 2185

Examiner: To Be Assigned

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Technology Center 2100

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

The references were cited in a Search Report dated April 3, 2003 (copy enclosed herewith) from a foreign patent office in a counterpart PCT application.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 16, 2009

Joseph Lutz, Reg. No. 43,765

12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025 (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marilyn Bass

Date

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Securitute	for form 1449A/PTO			Co	omplete if Known	
NE INFORMATION DISCLOSURE			UDE	Application Number	09/823,566	
			UKE	Filing Date	March 30, 2001	
STAT	EMENT BY	APPLIC	ANT	First Named Inventor	Jay H. Connelly	
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(use as many sheets as necessary)				Examiner Name	To Be Assigned	
Sheet	1	of	2	Attorney Docket Number	42390P10859	

U.S. PATENT DOCUMENTS								
		Document Number Publication Date		Name of Datasta	Pages, Columns, Lines, Where			
Examiner Initials*	Cite No.¹	Number - Kind Code ² (if known)	or Issue Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		US-5,838,678	11-17-1998	Davis et al.				
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	FOREIGN PATENT DOCUMENTS								
Examiner Cite		Foreign Patent Document			Pages, Columns, Lines,	76			
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	۳			
		EP 1 089 571 A2	04-04-2001	Sony Corporation		×			
		EP 1 043 892 A1	10-11-2000	Sony Corporation		X			
		WO 00/59204	10-05-2000	Diva Systems Corporation		X			
									

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Examiner	Date	
Signature	Considered	

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 05/02/2003.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known					
Application Number	09/823,566				
Filing Date	March 30, 2001				
First Named Inventor	Jay H. Connelly				
Art Unit	2185				
Examiner Name	To Be Assigned				
Attorney Docket Number	42390P10859				

	OTHER ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²				
		Information Technology - Generic Coding of Moving Pictures and Associated Audio: Systems, Recommendation H.222.0, ISO/IEC 13818-1, Nov. 13, 1994					
-		PCT International Search Report, Int'l App. No. PCT/US 02/29091, mailed 04/03/03					
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Examiner	Date
Signature	Considered

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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

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TRANSMITTAL FO	Filing Date	March 30, 2001	PEOL	
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	Group Art Unit	2185	JUN 2 (
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Total Number of Pages in This Submission	n 7	Attorney Docket Number	42390P10859	Technology G
ENCLO	SURES (chec	ck all that apply)		
Fee Transmittal Form	Drawing(s		After Allowand to Group	e Communication
Fee Attached	Licensing-r	elated Papers	Appeal Comm of Appeals and	unication to Board I Interferences
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SIGNATUR	OF APPLICA	NT, ATTORNEY, OR AG	ENT	
Fim Joseph Lutz, R or Individual name BLAKELY, S Signature	TAYLOR & ZAFN	MAN LLP		
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TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Based on PTO/SB/17 (01-03) as modified by Blakely, Solokoff, Taylor & Zafrian (vir.) 05/02/2003. SEND TO: Commissioner for Patente, P.O. Box 1450, Alexandria, VA 22313-1450

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

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Complete if Known							
Application Number	09/823,566						
Filing Date	March 30, 2001						
First Named Inventor	Jay H. Connelle CFIVED						
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The Commissioner is authorized to: (check ell that apply)	1812 1804	2,520 920 *	1812	2,520 920	For filing a request for * Requesting publication	•	lation	
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Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840 *	1805	1,840	 Requesting publication 	on of SIR after		
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FEE CALCULATION	1252	410	2252	205	Extension for reply wi	thin second month		
1. BASIC FILING FEE	1253	930	2253	465	Extension for reply wi	thin third month		
Large Entity Small Entity	1254	1,450	2254	725	Extension for reply wi	ithin fourth month		
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1001 750 2001 375 Utility filing fee	1404	320	2401	160	Notice of Appeal			
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2. EXTRA CLAIM FEES Extra Fee from	1502	470	2502	235	Design issue fee			·
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1202 18 2202 9 Claims in excess of 20	1810	750	2810	375	For each additional in	vention to be		
1201 84 2201 42 Independent claims in excess of 3 1203 280 2203 140 Multiple Dependent claim, if not paid	10.0	,	20.0	5,5	examined (37 CFR §			
1204 84 2204 42 **Reissue independent claims over original	1801	750	2801	375	Request for Continued	•	≣)	
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**or number previously paid, if greater, For Reissues, see below	* Reduced	l by Basic F	iling Fee	Paid		SUBTOTAL (3)	(\$)	
SUBMITTED BY						Comp	lete (if applic	able)
Name (Print/Type) Joseph Lutz		gistratio			43,765	Telephone	(310) 20	
Joseph Lutz	(At	torney/Age	nt)		+3,/03	, diaprioria	· /-	77-3000
Signature	-					Date	06/18	= /03]